

PROB 12C
(7/93)

Report Date: September 14, 2010

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 14 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Francisco Gomez-Galvan

Case Number: 2:09CR06021-001 - LRS

Address of Offender: Currently incarcerated at San Luis Detention Center, San Luis, AZ

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Chief U.S. District Judge

Date of Original Sentence: 06/11/2009

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326(b)(2)

Original Sentence: Prison - 18 Months; TSR - 36 Months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: TBD

Date Supervision Commenced: 07/06/2010

Defense Attorney: James Stewart Becker

Date Supervision Expires: 07/05/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition #14:** You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: The defendant illegally reentered the United States without permission on or about September 6, 2010.

Information received from the U.S. Immigration and Customs Enforcement, indicates the defendant was deported to Mexico on July 23, 2010, at San Ysidro, California, and has not obtained legal permission to reenter the United States.

- 2 **Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On September 7, 2010, a criminal complaint was filed with the U.S. District Court in the Southern District of California, docket number 2:10M015447-001 charging the defendant with count 1: Willfully and Unlawfully Returned and Remained in the United States, in violation of 8 U.S.C. § 1326, a felony; count 2: Knowingly and

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Willfully Enter the United States at a Time or Place Other than as Designated by Immigration Officers and Elude Examination or Inspection by Immigration Officers, in violation of 8 U.S.C. § 1325, a felony; and count 3: Knowingly and Willfully Enter the United States at a Time or Place Other than as Designated by Immigration Officers, in violation of 8 U.S.C. § 1325, a misdemeanor.

According to the complaint, on or about September 6, 2010, the defendant was found near Andrade, California, by Yuma Border Patrol agents. Upon questioning the defendant, it was determined he was a national of Mexico and was in the United States illegally. The defendant was transported to Yuma, Arizona, for processing.

Information received from the U.S. District Court in the Southern District of California, indicates on September 7, 2010, the defendant pled guilty to count 3 of the complaint and was sentenced to 6 months confinement.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 09/14/2010

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

9/14/10

Date